

RECEIVED
CENTRAL FAX CENTER

1/3



JUL 08 2008

Facsimile Cover Sheet
Patent Department

TODAY'S DATE: July 8, 2008

PLEASE DELIVER THE FOLLOWING MESSAGE TO:

Examiner: Roy R. Teller

Fax No.: 571-273-8300

THIS MESSAGE IS FROM:

Name: Richard C. Billups

Phone No.: (732)594-4683

Mail Location: RY60-30

Fax No.: (732)594-2300

Appl'n. No.: 10/581,166

Filing Date: May 31, 2006

Docket No.: 21457P

For: INHIBITION OF VOLUNTARY ETHANOL CONSUMPTION WITH SELECTIVE
MELANOCOTIN 4-RECEPTOR AGONISTS

NUMBER OF PAGES BEING TRANSMITTED (INCLUDING COVER): 3

Documents sent: Facsimile Cover Sheet (1 pg.) and Response (2 pgs.)

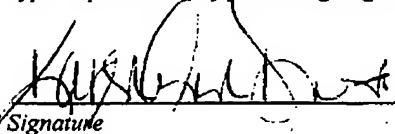
IF YOU DO NOT RECEIVE ALL OF THE PAGES, PLEASE CALL (732) 594-8554

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the United
States Patent and Trademark Office on the date shown below

KAREN ANN DROST

Type or print name of person signing certification


Signature

7-8-08
Date

IMPORTANT

The information contained in this facsimile is intended only for the use of the individual or entity to whom it is addressed and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are hereby notified that any use, dissemination, distribution or copying of this communication is strictly prohibited. If you have received this facsimile in error, please immediately notify us by telephone, and return the original message to us at the address above via the appropriate postal service. Thank you.

RECEIVED
CENTRAL FAX CENTER

JUL 08 2008

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: MARSH, et al.

Serial No.: 10/581,166

Case No.: 21457P

Art Unit:
1654

Filed: May 31, 2006

Examiner:
Teller, Roy R.Entitled: INHIBITION OF VOLUNTARY ETHANOL
CONSUMPTION WITH SELECTIVE
MELANOCORTIN 4-RECEPTOR AGONISTSVia Facsimile – (571) 273-8300
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450RESPONSE TO ELECTION REQUIREMENT

Sir:

In response to the Office Action dated June 12, 2008, for which a response is due July 12, 2008, please consider the following remarks.

The Examiner alleged that the captioned patent application does not meet the unity of invention requirements under PCT Rule 13.1. The Examiner did not divide the claimed subject matter into any patentably distinct groups. The Examiner is requested to withdraw the election requirement and examine all of the claims that are pending in the application. First, the compounds that are claimed fall within the genus of formula I. Hence they are related structurally.

Second, the compounds share a common utility, namely for use in treating or inhibiting alcohol consumption.

Serial No.: 10/581,166
Case No.: 21457P
Page No.: 2

Since there is a substantial structural core (Formula I) in common and a common utility, it is urged that unity exists for the claimed methods of treatment.

If the Examiner determines that the restriction is proper, he is requested to indicate the patentably distinct groups of inventions, and the basis for his belief.

Applicants elect for the purpose of examination the compound of Example 4. This species appears in the specification on page 24, line 10 (Compound A). Claims 1, 6, 9 and 10 are readable on this structure.

Applicants have made this election with the understanding that if the elected species is found to be allowable, the Examiner will examine the genus of claims readable thereon and a reasonable number of disclosed species in addition to the elected species.

If the Examiner has any questions, he is requested to telephone the undersigned.

Respectfully submitted,

By 

Richard Billups, Reg. No. 31,916
Attorney for the Applicants

Merck & Co., Inc.
P.O. Box 2000
Rahway, New Jersey 07065-0907
(732)-594-4683

Date: July 8, 2008